

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:12-cv-01726-RCL**

LANDMARK LEGAL FOUNDATION v. ENVIRONMENTAL
PROTECTION AGENCY

Assigned to: Chief Judge Royce C. Lamberth
Demand: \$0

Case: 1:00-cv-02238-TFH

Cause: 05:552 Freedom of Information Act

Date Filed: 10/22/2012

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

LANDMARK LEGAL FOUNDATION

represented by **Mark R. Levin**
LANDMARK LEGAL FOUNDATION
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LEAD ATTORNEY
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V.

Defendant

**UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY**

represented by **Heather D. Graham-Oliver**
U.S. ATTORNEY'S OFFICE
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Date Filed	#	Docket Text
10/22/2012	<u>1</u>	COMPLAINT against ENVIRONMENTAL PROTECTION AGENCY (Filing fee \$ 350 receipt number 0090-3108432) filed by LANDMARK LEGAL FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Exhibit

		1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # (Entered: 10/22/2012)
10/22/2012	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by LANDMARK LEGAL FOUNDATION (O'Neill, Michael) (Entered: 10/22/2012)
10/22/2012	<u>3</u>	NOTICE OF RELATED CASE by LANDMARK LEGAL FOUNDATION. Case related to Case No. 00-2338. (O'Neill, Michael) (Entered: 10/23/2012)
10/22/2012		Case Assigned to Judge Ellen S. Huvelle. (md,) (Entered: 10/23/2012)
10/22/2012		Case Reassigned to Chief Judge Royce C. Lamberth. Judge Ellen S. Huvelle no longer assigned to the case. Assignment to Judge Ellen S. Huvelle was in error. (md,) (Entered: 10/23/2012)
10/23/2012	<u>4</u>	SUMMONS Issued as to ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (md,) (Entered: 10/23/2012)
10/31/2012	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. ENVIRONMENTAL PROTECTION AGENCY served on 10/31/2012 (Attachments: # <u>1</u> Exhibit Certified Mail Tracking)(O'Neill, Michael) (Entered: 10/31/2012)
10/31/2012	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/31/2012. (Attachments: # <u>1</u> Exhibit Certified Mail Tracking)(O'Neill, Michael) (Entered: 10/31/2012)
10/31/2012	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/31/2012. Answer due for ALL FEDERAL DEFENDANTS by 11/30/2012. (Attachments: # <u>1</u> Exhibit Certified Mail Tracking)(O'Neill, Michael) (Entered: 10/31/2012)
11/29/2012	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Richard P. Hutchison, :Firm- Landmark Legal Foundation, :Address- 3100 Broadway, Ste. 1210 Kansas City, MO 64111. Phone No. - 816-931-5559. Fax No. - 816-931-1115 by LANDMARK LEGAL FOUNDATION (Attachments: # <u>1</u> Declaration Richard P. Hutchison Declaration, # <u>2</u> Text of Proposed Order)(O'Neill, Michael) (Entered: 11/29/2012)
11/29/2012	<u>9</u>	CERTIFICATE OF SERVICE by LANDMARK LEGAL FOUNDATION re <u>8</u> MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Richard P. Hutchison, :Firm- Landmark Legal Foundation, :Address- 3100 Broadway, Ste. 1210 Kansas City, MO 64111. Phone No. - 816-931-5559. Fax No. - 816-931-1115 . (O'Neill, Michael) (Entered: 11/29/2012)
11/29/2012	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Mark R. Levin, :Firm- Landmark, :Address- 19415 Deerfield Ave. Ste. 312 Leesburg, VA 20176. Phone No. - 703-554-6100. Fax No. - 703-554-6119 by LANDMARK LEGAL FOUNDATION (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(O'Neill, Michael) (Entered: 11/29/2012)
11/30/2012	<u>11</u>	ORDER granting <u>10</u> Motion for Leave to Appear Pro Hac Vice for Mark R. Levin. Signed by Chief Judge Royce C. Lamberth on 11/30/12. (rje) (Entered: 11/30/2012)
11/30/2012	<u>12</u>	ORDER granting <u>8</u> Motion for Leave to Appear Pro Hac Vice for Richard P. Hutchison. Signed by Chief Judge Royce C. Lamberth on 11/30/12. (rje) (Entered: 11/30/2012)
11/30/2012	<u>13</u>	ANSWER to <u>1</u> Complaint by ENVIRONMENTAL PROTECTION AGENCY.(Graham-Oliver, Heather) Modified on 12/3/2012 to add linkage (rdj). (Entered: 11/30/2012)
12/12/2012	<u>14</u>	MOTION for Preliminary Injunction by LANDMARK LEGAL FOUNDATION (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Affidavit, # <u>4</u> Affidavit, # <u>5</u> Exhibit)(O'Neill, Michael) (Entered: 12/12/2012)

12/12/2012	<u>15</u>	ERRATA by LANDMARK LEGAL FOUNDATION <u>14</u> MOTION for Preliminary Injunction filed by LANDMARK LEGAL FOUNDATION. (Attachments: # <u>1</u> Affidavit Corrected Affidavit of Richard P. Hutchison)(O'Neill, Michael) (Entered: 12/12/2012)
12/19/2012	<u>16</u>	Memorandum in opposition to re <u>14</u> MOTION for Preliminary Injunction filed by ENVIRONMENTAL PROTECTION AGENCY. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E)(Graham-Oliver, Heather) (Entered: 12/19/2012)
12/20/2012	<u>17</u>	REPLY to opposition to motion re <u>14</u> MOTION for Preliminary Injunction filed by LANDMARK LEGAL FOUNDATION. (Attachments: # <u>1</u> Exhibit Exhibit 1)(O'Neill, Michael) (Entered: 12/20/2012)
12/21/2012	<u>18</u>	ORDER denying plaintiff's Motion <u>14</u> for Preliminary Injunction. Signed by Chief Judge Royce C. Lamberth on 12/21/2012. (lcrl3) (Entered: 12/21/2012)
12/21/2012	<u>19</u>	MEMORANDUM OPINION. Signed by Chief Judge Royce C. Lamberth on 12/21/2012. (lcrl3) (Entered: 12/21/2012)
02/01/2013	<u>20</u>	MOTION for Order <i>Setting Production and Briefing Schedule</i> by LANDMARK LEGAL FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(O'Neill, Michael) (Entered: 02/01/2013)
02/06/2013	<u>21</u>	Memorandum in opposition to re <u>20</u> MOTION for Order <i>Setting Production and Briefing Schedule</i> filed by ENVIRONMENTAL PROTECTION AGENCY. (Attachments: # <u>1</u> Exhibit email, # <u>2</u> Exhibit letter)(Graham-Oliver, Heather) (Entered: 02/06/2013)
02/07/2013	<u>22</u>	REPLY to opposition to motion re <u>20</u> MOTION for Order <i>Setting Production and Briefing Schedule</i> filed by LANDMARK LEGAL FOUNDATION. (O'Neill, Michael) (Entered: 02/07/2013)
02/19/2013	<u>23</u>	ORDER granting in part and denying in part Motion <u>20</u> for Order Setting Production and Briefing Schedule. Signed by Chief Judge Royce C. Lamberth on 2/19/2013. (lcrl3) (Entered: 02/19/2013)
02/20/2013		Set/Reset Deadlines: Defendant's Dispositive Motions due by 3/30/2013. (hs) (Entered: 02/20/2013)
03/29/2013	<u>24</u>	MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Graham-Oliver, Heather) (Entered: 03/29/2013)
03/29/2013	<u>25</u>	ERRATA by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY <u>24</u> MOTION for Extension of Time to File <i>Motion For Summary Judgment</i> filed by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Graham-Oliver, Heather) (Entered: 03/29/2013)
04/03/2013	<u>26</u>	ORDER; granting in part and denying in part <u>24</u> Motion for Extension of Time to File. Summary Judgment motion due by 4/30/2013, Signed by Chief Judge Royce C. Lamberth on 4/3/2013. (hs) (Entered: 04/03/2013)
04/30/2013	<u>27</u>	MOTION for Extension of Time to <i>File Motion For Summary Judgment</i> by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Graham-Oliver, Heather) (Entered: 04/30/2013)
05/01/2013	<u>28</u>	Memorandum in opposition to re <u>27</u> MOTION for Extension of Time to <i>File Motion For Summary Judgment</i> filed by LANDMARK LEGAL FOUNDATION. (O'Neill, Michael) (Entered: 05/01/2013)
05/02/2013	<u>29</u>	REPLY to opposition to motion re <u>27</u> MOTION for Extension of Time to <i>File Motion For Summary Judgment</i> filed by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Graham-Oliver, Heather) (Entered: 05/02/2013)
05/15/2013	<u>30</u>	MOTION for Summary Judgment by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Attachments: # <u>1</u> Affidavit Declaration of Eric Wachter, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F)(Graham-Oliver, Heather) (Entered: 05/15/2013)

06/04/2013	<u>31</u>	Memorandum in opposition to re <u>30</u> MOTION for Summary Judgment filed by LANDMARK LEGAL FOUNDATION. (Attachments: # <u>1</u> Affidavit Affidavit Declaration of Matthew Forys, # <u>2</u> Affidavit Affidavit Declaration of Michael J. O'Neill, # <u>3</u> Text of Proposed Order)(O'Neill, Michael) (Entered: 06/04/2013)
06/24/2013	<u>32</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>30</u> MOTION for Summary Judgment by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (Graham-Oliver, Heather) (Entered: 06/24/2013)
06/27/2013	<u>33</u>	Memorandum in opposition to re <u>32</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>30</u> MOTION for Summary Judgment filed by LANDMARK LEGAL FOUNDATION. (O'Neill, Michael) (Entered: 06/27/2013)
06/27/2013	<u>34</u>	REPLY to opposition to motion re <u>32</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>30</u> MOTION for Summary Judgment filed by UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. (Graham-Oliver, Heather) (Entered: 06/27/2013)